



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2006 REGULAR SESSION

HOUSE BILL NO. 90

AS ENACTED

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TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY R. Toller

AN ACT relating to graduated driver's licenses for teenagers.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1 Section 1. KRS 186.450 is amended to read as follows:

2 (1) A person who is at least sixteen (16) years of age may apply for an instruction
3 permit to operate a motor vehicle. A person who possesses a valid motor vehicle
4 operators' license or a person who is at least eighteen (18) years of age may apply
5 for an instruction permit to operate a motorcycle. A holder of either a motor vehicle
6 or motorcycle instruction permit may also operate a moped under that permit. A
7 person applying for an instruction permit under this section shall make application
8 in the office of the circuit clerk in the county where the person lives. A person
9 applying for an instruction permit shall be required to comply with the following:

10 (a) If the person is under the age of eighteen (18), the instruction permit
11 application shall be signed by the applicant's parent or legal guardian. If the
12 person does not have a living parent or does not have a legal guardian, the
13 instruction permit application shall be signed by a person willing to assume
14 responsibility for the applicant pursuant to KRS 186.590; and

15 (b) All applicants for an instruction permit shall comply with the examinations
16 required by KRS 186.480.

17 (2) If an applicant successfully passes the examinations required by KRS 186.480, the
18 applicant shall be issued an instruction permit upon payment of a six dollar (\$6) fee
19 pursuant to KRS 186.531.

20 (3) An instruction permit shall be valid for three (3) years~~one (1) year~~ and may be
21 renewed. A person who has attained the age of sixteen (16) years and is under the
22 age of eighteen (18) years at the time of application for an instruction permit
23 shall have the instruction permit a minimum of one hundred eighty (180) days
24 before applying for an intermediate license and shall have an intermediate
25 license for a minimum of one hundred eighty (180) days before applying for an

1 operator's license. A person who is at least eighteen (18) years of age and is under
 2 the age of twenty-one (21) years at the time of application for an instruction permit
 3 shall have the instruction permit a minimum of one hundred eighty (180) days
 4 before applying for an operator's license. A person who is at least twenty-one (21)
 5 years of age at the time of application for an instruction permit shall have the
 6 instruction permit a minimum of thirty (30) days before applying for an operator's
 7 license.

8 (4) A person shall have the instruction permit in his possession at all times when
 9 operating a motor vehicle, motorcycle, or moped upon the highway. When
 10 operating a motor vehicle, a motor vehicle instruction permit holder shall be
 11 accompanied by a person with a valid operator's license who is at least twenty-one
 12 (21) years of age occupying the seat beside the operator at all times.

13 (5) A person with an instruction permit who is under the age of eighteen (18) shall not
 14 operate a motor vehicle, motorcycle, or moped between the hours of 12 midnight
 15 and 6 a.m. unless the person can demonstrate good cause for driving including, but
 16 not limited to, emergencies, involvement in school related activities, or involvement
 17 in work related activities.

18 (6) Except when accompanied by a driver training instructor affiliated with a driver
 19 training school licensed under KRS Chapter 332 or a public or non-public
 20 secondary school, a person with an instruction permit who is under the age of
 21 eighteen (18) years shall not operate a motor vehicle at any time when
 22 accompanied by more than one (1) unrelated person who is under the age of
 23 twenty (20) years. A peace officer shall not stop or seize a person nor issue a
 24 uniform citation for a violation of this subsection if the officer has no other cause
 25 to stop or seize the person other than a violation of this subsection. This
 26 subsection shall not apply to any operator of a vehicle registered under the
 27 provisions of KRS 186.050(4) who is engaged in agricultural activities.

(7) A violation under subsection (4), (5), or (6) of this section, a conviction for a moving violation under KRS Chapter 189 for which points are assessed by the cabinet, or a conviction for a violation of KRS 189A.010(1) shall add an additional minimum of one hundred eighty (180) days from the date of the violation before a person who is under the age of eighteen (18) years may apply for an intermediate license to operate a motor vehicle, motorcycle, or moped.

~~(8)(6)~~ A person under the age of eighteen (18) who accumulates more than six (6) points against his driving privilege may have the driving privilege suspended pursuant to KRS Chapter 186 or probated by the court.

~~(9)(7)~~ An applicant for relicensing after revocation shall pay the clerk a fee of twenty-five dollars (\$25). The twenty-five dollar (\$25) fee shall not apply to any person whose license was suspended for failure to meet the conditions described in KRS 186.411 when, within one (1) year of suspension, the driving privileges of such individuals are reinstated and persons reinstated pursuant to KRS 159.051.

SECTION 2. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO READ AS FOLLOWS:

(1) Beginning April 1, 2007, a person who is at least sixteen and a half (16 1/2) years of age may apply for an intermediate license to operate a motor vehicle if the person has:

(a) Held an instruction permit a minimum of one hundred eighty (180) days without a violation under subsection (4), (5), or (6) of Section 1 of this Act, a conviction for a moving violation under KRS Chapter 189 for which points are assessed by the cabinet, or a conviction for a violation of KRS 189A.010(1); and

(b) Presented a statement to the state police signed by a parent or guardian of the applicant attesting that the applicant has completed at least sixty (60) hours of supervised driving experience, including at least ten (10) hours at

1 night, while accompanied by a person who has attained the age of twenty-
2 one (21) years and holds a valid operator's license occupying the seat beside
3 the applicant.

4 (2) If an applicant for an intermediate license successfully completes the
5 examinations required under KRS 186.480, the state police shall affix an
6 intermediate license sticker to the instruction permit and report the applicant's
7 new status to the Transportation Cabinet. The Transportation Cabinet shall
8 update the information in its computer system to reflect that the applicant has
9 been granted an intermediate license. An intermediate license shall be valid for
10 two (2) years and may be renewed.

11 (3) A person shall have the intermediate license in his or her possession at all times
12 when operating a motor vehicle.

13 (4) A person with an intermediate license who is under the age of eighteen (18) years
14 shall not operate a motor vehicle, motorcycle, or moped between the hours of 12
15 midnight and 6 a.m. unless the person can demonstrate good cause for driving,
16 including emergencies, involvement in school-related activities, or involvement in
17 work-related activities.

18 (5) Except when accompanied by a driver training instructor affiliated with a driver
19 training school licensed under KRS Chapter 332 or a public or non-public
20 secondary school, a person with an intermediate license who is under the age of
21 eighteen (18) years shall not operate motor vehicle at any time when
22 accompanied by more than one (1) unrelated person who is under the age of
23 twenty (20) years. A peace officer shall not stop or seize a person nor issue a
24 uniform citation for a violation of this subsection if the officer has no other cause
25 to stop or seize the person other than a violation of this subsection. This
26 subsection shall not apply to any operator of a vehicle registered under the
27 provisions of KRS 186.050(4) who is engaged in agricultural activities.

1 (6) A violation under subsection (3), (4), or (5) of this section, a conviction for a
 2 moving violation under KRS Chapter 189 for which points are assessed by the
 3 cabinet, or a conviction for a violation of KRS 189A.010(1) shall add an
 4 additional minimum of one hundred eighty (180) days from the date of the
 5 violation before a person who is under the age of eighteen (18) years may apply
 6 for an operator's license.

7 SECTION 3. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO
 8 READ AS FOLLOWS:

9 Beginning October 1, 2007, a person with an intermediate license who is under the age
 10 of eighteen (18) years may apply for an operator's license to operate a motor vehicle if
 11 the person has:

12 (1) Held an intermediate license for a minimum of one hundred eighty (180) days
 13 without a conviction for a moving violation under KRS Chapter 189 for which
 14 points are assessed by the cabinet, a conviction for a violation of KRS
 15 189A.010(1), or a conviction under subsection (3), (4), or (5) of Section 2 of this
 16 Act; and

17 (2) Completed a driver training program under KRS 186.410(4).

18 Section 4. KRS 186.412 is amended to read as follows:

19 (1) A person who has attained the age of eighteen (18) years and is under the age of
 20 twenty-one (21) at the time of application for an instruction permit may apply for an
 21 operator's license to operate a motor vehicle, motorcycle, or moped if the person has
 22 possessed the valid instruction permit for at least one hundred eighty (180) days. A
 23 person who is at least twenty-one (21) years of age at the time of application for an
 24 instruction permit may apply for an operator's license to operate a motor vehicle,
 25 motorcycle, or moped if the person has possessed the valid instruction permit for at
 26 least thirty (30) days.

27 (2) Except as provided in subsection (4) of this section, a person shall apply for an

1 operator's license in the office of the circuit clerk of the county where the person
2 lives. The application form shall require the person's:

- 3 (a) Full legal name and signature;
- 4 (b) Date of birth;
- 5 (c) Social Security number, federal tax identification number, a letter from the
6 Social Security Administration declining to issue a Social Security number, or
7 a notarized affidavit from the applicant to the Transportation Cabinet swearing
8 that the person either does not have a Social Security number, or refuses to
9 divulge his or her Social Security number, based upon religious convictions;
- 10 (d) Sex;
- 11 (e) Present Kentucky resident address, exclusive of a post office box address
12 alone;
- 13 (f) Other information necessary to permit the application of United States citizens
14 to also serve as an application for voter registration;
- 15 (g) A brief physical description of the applicant;
- 16 (h) A statement if the person has previously been licensed as an operator in
17 another state;
- 18 (i) Proof of the person's Kentucky residency including, but not limited to, a deed
19 or property tax bill, utility agreement or utility bill, or rental housing
20 agreement; and
- 21 (j) Other information the cabinet may require by administrative regulation
22 promulgated under KRS Chapter 13A.

23 (3) A permanent resident shall present one (1) of the following documents issued by the
24 United States Department of Justice, Immigration and Naturalization Service:

- 25 (a) An I-551 card with a photograph of the applicant; or
- 26 (b) A form with the photograph of the applicant or a passport with a photograph
27 of the applicant on which the United States Department of Justice,

1 Immigration and Naturalization Service has stamped the following:

2 "Processed for I-551. Temporary evidence of lawful admission for permanent
3 residence. Valid until -----. Employment authorized."

4 (4) If the person is not a United States citizen and has not been granted status as a
5 permanent resident of the United States, the person's application for an original
6 operator's license shall be submitted to either the Transportation Cabinet in
7 Frankfort or a Transportation Cabinet field office.

8 (a) The application form shall be accompanied by the person's documentation
9 issued by the United States Department of Justice, Immigration and
10 Naturalization Service, authorizing the person to be in the United States and,
11 if applicable, the person's international driving permit. The application form
12 of a special status individual with a K-1 status shall be accompanied by an
13 original or certified copy of the person's completed marriage license signed by
14 the official who presided over the marriage ceremony and two (2) witnesses.
15 The application form of a special status individual with a K-1 status shall also
16 include the person's petition to enter the United States for the purpose of
17 marriage that contains the name of the prospective spouse. If the name of the
18 prospective spouse on the petition does not match the name of the spouse on
19 the marriage license, the Transportation Cabinet shall not be required to issue
20 an operator's license.

21 (b) The Transportation Cabinet shall, within fifteen (15) days of receipt of the
22 application, review the person's documentation and determine if the person
23 will be issued a Kentucky operator's license. If the review of an application
24 will take longer than fifteen (15) days, the cabinet shall continue the review,
25 but the cabinet shall be required to make a determination in all cases within
26 thirty (30) days of receipt of the application.

27 (c) If the cabinet determines the person may be issued an operator's license, the

1 cabinet shall issue the person an official form that the person shall take to the
2 office of the circuit clerk of the county where the person resides. The circuit
3 clerk shall review the person's documentation and the official form issued by
4 the Transportation Cabinet. If the documentation is verified as accurate, and if
5 the person successfully completes the examinations required under KRS
6 186.480, the circuit clerk shall issue the person a Kentucky operator's license.

7 (d) Except as provided in paragraphs (e) and (f) of this subsection, a person who
8 is not a United States citizen and who has not been granted status as a
9 permanent resident of the United States shall apply to renew an operator's
10 license, or obtain a duplicate operator's license, in the office of the circuit
11 clerk in the county in which the person resides.

12 (e) If a person is renewing an operator's license or is applying for a duplicate
13 license after July 15, 2002, and the person's documentation issued by the
14 United States Department of Justice, Immigration and Naturalization Service,
15 has not been reviewed by either the Transportation Cabinet in Frankfort or
16 a Transportation Cabinet field office under the provisions of this subsection,
17 the person shall be required to apply for the renewal or duplicate with either
18 the Transportation Cabinet in Frankfort or a Transportation Cabinet field
19 office.

20 (f) If a person has any type of change in the person's immigration status, the
21 person shall apply to renew an operator's license with either the Transportation
22 Cabinet in Frankfort or a Transportation Cabinet field office.

23 (5) The circuit clerk shall issue an operator's license bearing a color photograph of the
24 applicant and other information the cabinet may deem appropriate. The photograph
25 shall be taken by the circuit clerk so that one (1) exposure will photograph the
26 applicant and the application simultaneously. When taking the photograph, the
27 applicant shall be prohibited from wearing sunglasses or any other attire that

1 obscures any features of the applicant's face as determined by the clerk. The clerk
2 shall require an applicant to remove sunglasses or other obscuring attire before
3 taking the photograph required by this subsection. Any person who refuses to
4 remove sunglasses or other attire prohibited by this section as directed by the clerk
5 shall be prohibited from receiving an operator's license. The operator's license
6 issued by the cabinet shall not contain the applicant's Social Security number. The
7 cabinet shall promulgate administrative regulations pursuant to KRS Chapter 13A
8 that develop a numbering system that uses an identification system other than Social
9 Security numbers. If an applicant does not have a Social Security number, or the
10 applicant has submitted a notarized affidavit refusing to divulge his or her Social
11 Security number based upon religious convictions, the Transportation Cabinet shall
12 assign the applicant a unique identifying number. The license shall also designate
13 by color coding and use the phrase "under 21" if the licensee is under the age of
14 twenty-one (21); "CDL" if the license is issued pursuant to KRS Chapter 281A; or
15 "under 21 CDL" if the licensee holds a commercial driver's license issued pursuant
16 to KRS Chapter 281A and is under the age of twenty-one (21).

17 (6) Every applicant shall make oath to the circuit clerk as to the truthfulness of the
18 statements contained in the form.

19 (7) (a) Except as provided in subsection (8) of this section, the circuit clerk shall
20 issue a color photo personal identification card to any person who is a
21 Kentucky resident and who resides in the county who complies with the
22 provisions of this section and who applies in person in the office of the circuit
23 clerk. An application for a personal identification card shall be accompanied
24 by the same information as is required for an operator's license under
25 subsection (2) of this section, except if a person does not have a fixed,
26 permanent address, the person may use as proof of residency a signed letter
27 from a homeless shelter, health care facility, or social service agency currently

1 providing the person treatment or services and attesting that the person is a
2 resident of Kentucky.

3 (b) It shall be permissible for the application form for a personal identification
4 card to include as a person's most current resident address a mailing address,
5 post office box, or an address provided on a voter registration card.

6 (c) Every applicant for a personal identification card shall make an oath to the
7 circuit clerk as to the truthfulness of the statements contained on the
8 application form. If the applicant is not the legal owner or possessor of the
9 address provided on the application form, the applicant shall swear that he or
10 she has permission from the legal owner, authorized agent for the legal owner
11 or possessor to use the address for purposes of obtaining the personal
12 identification card. The personal identification card shall designate by color
13 coding and by use of the phrase "under 21" if the applicant is under the age of
14 twenty-one (21).

15 (d) A personal identification card shall be valid for a period of four (4) years from
16 the date of issuance. Except as provided in this subsection, an initial or
17 renewal personal identification card issued to a person who is not a United
18 States citizen and who has not been granted status as a permanent resident of
19 the United States and who is not a special status individual, but who is a
20 Kentucky resident, shall be valid for a period equal to the length of time the
21 person's documentation from the United States Department of Justice,
22 Immigration and Naturalization Service is issued, or four (4) years, whichever
23 time period is shorter. An initial or renewal personal identification card shall
24 be valid for a period of two (2) years if the person is not a special status
25 individual and the person's documentation issued by the United States
26 Department of Justice, Immigration and Naturalization Service, is issued for
27 an indefinite period of time and does not have an expiration date. The fee shall

1 be the same as for a regular personal identification card.

2 (e) A personal identification card may be suspended or revoked if the person who
3 was issued the card presents false or misleading information to the cabinet
4 when applying for the card.

5 (8) A person may be issued a personal identification card if the person currently holds a
6 valid Kentucky instruction permit or operator's license. If a person's instruction
7 permit or operator's license has been suspended or revoked, the person may be
8 issued a temporary personal identification card. A temporary personal identification
9 shall be renewed annually and may be surrendered when the person applies to have
10 his or her instruction permit or operator's license reinstated.

11 (9) The Transportation Cabinet shall implement a voluntary statewide child
12 identification program. The program shall issue a color photo personal
13 identification card to a child two (2) to fifteen (15) years of age. Application for a
14 child identification card shall be accompanied by a Social Security card and a birth
15 certificate for the child, or other proof of the child's date of birth as provided under
16 subsection (2) of this section. The card shall contain the child's name and the toll-
17 free number of the Kentucky Missing Persons Clearinghouse, Kentucky State
18 Police. The card shall not contain the child's Social Security number. The cabinet
19 shall set a four dollar (\$4) fee for the child identification card. Two dollars (\$2) of
20 the fee shall be used to cover the cabinet's cost for equipment and supplies. Two
21 dollars (\$2) of the fee shall be an administrative fee of the circuit clerk for issuing
22 the card which shall be deposited by the Administrative Office of the Courts into a
23 trust and agency account for the circuit clerks and used for the purposes of hiring
24 additional deputy clerks and providing salary adjustments to deputy clerks. The card
25 shall expire every four (4) years on the child's birthday. Within the time period that
26 the child identification card is valid, the card may be updated with a new
27 photograph and information. The fee for an updated card shall be four dollars (\$4),

1 with two dollars (\$2) of the fee going to the cabinet and two dollars (\$2) going to
2 the Administrative Office of the Courts in the same manner as the fee for an initial
3 card as described in this subsection. The descriptive data and a photo image of the
4 child shall be stored in the Kentucky Driver's License Information System and may
5 be retrieved and used by public agencies subject to the provisions of the Driver
6 Privacy Protection Act, 18 U.S.C. sec. 2721, and may also be used by the Kentucky
7 Missing Persons Clearinghouse.

8 (10) If a citizen of the Commonwealth currently serving in the United States military is
9 stationed or assigned to a base or other location outside the boundaries of the
10 Commonwealth, the citizen may renew a Class D operator's license issued under
11 this section by mail. If the citizen was issued an "under 21" operator's license, upon
12 the date of his or her twenty-first birthday, the "under 21" operator's license may be
13 renewed for an operator's license that no longer contains the outdated reference to
14 being "under 21."

15 (11) A citizen of the Commonwealth renewing an operator's license by mail under
16 subsection (10) of this section may have a personal designee apply to the circuit
17 clerk on behalf of the citizen to renew the citizen's operator's license. An operator's
18 license being renewed by mail under subsection (10) of this section shall be issued a
19 license without a photograph. The license shall show in the space provided for the
20 photograph the legend "valid without photo and signature."

21 (12) If a citizen of the Commonwealth has been serving in the United States military and
22 has allowed his operator's license to expire, he shall, within ninety (90) days of
23 returning to the Commonwealth, be permitted to renew his license without having
24 to take a written test or road test. A citizen who does not renew his license within
25 ninety (90) days of returning to the Commonwealth shall be required to comply
26 with the provisions of this chapter governing renewal of a license that has expired.
27 If a citizen of the Commonwealth has been issued an "under 21" or "under 21 CDL"

1 operator's license and the person is unable to renew the license on the date of his
2 twenty-first birthday, the "under 21" or "under 21 CDL" operator's license shall be
3 valid for ninety (90) days beyond the date of the person's twenty-first birthday.

4 (13) The cabinet shall provide on each license to operate motor vehicles, motorcycles,
5 and mopeds a space for the licensed driver's:

6 (a) Blood type;

7 (b) Medical insignia if the person provides evidence that a medical identification
8 bracelet noting specific physical ailments or a drug allergy is being worn or
9 other proof as may be required by the cabinet; and

10 (c) A statement whereby the owner of the license may certify in the presence of
11 two (2) witnesses his willingness to make an anatomical gift under KRS
12 311.195.

13 (14) If the motor vehicle operator denotes a physical ailment or drug allergy on the
14 operator's license, he may apply for and shall receive, for a fee of one dollar (\$1)
15 paid to the circuit clerk, a medical insignia decal that may be affixed to the lower
16 left side of the front windshield of a motor vehicle.

17 (15) An operator's license pursuant to this section shall be designated a Class D license.

18 (16) A person shall not have more than one (1) license.

19 (17) Upon marriage, a woman applying for an operator's license or a color photo
20 personal identification card shall provide the circuit clerk with her marriage license
21 and complete an affidavit form provided by the circuit court clerk. She shall have
22 the following choices in regard to her full legal name as required in subsections (2)
23 and (7) of this section:

24 (a) Use her husband's last name;

25 (b) Retain her maiden name;

26 (c) Use her maiden name hyphenated with her husband's last name;

27 (d) Use her maiden name as a middle name and her husband's last name as her

1 last name; or

2 (e) In the case of a previous marriage, retain that husband's last name.

3 (18) Upon issuing an operator's license or personal identification card, the clerk shall
4 draw the recipient's attention to the location on the license relating to anatomical
5 gifts under subsection (13)(c) of this section and offer to allow personnel in the
6 clerk's office to serve as the witnesses to the recipient's certification of willingness
7 to make an anatomical gift if the recipient is the person to whom the license is
8 issued.

9 Section 5. KRS 186.470 is amended to read as follows:

10 (1) The application of any minor under the age of eighteen (18) for an operator's
11 license, motorcycle operator's license, intermediate license, or any instruction
12 permit shall not be granted unless the application is signed by a parent or legal
13 guardian of the applicant. Regardless of which parent signs the application, both
14 parents shall be responsible as provided in KRS 186.590. If the minor does not have
15 a father, mother, or guardian, an operator's license, intermediate license, or
16 instruction permit shall not be granted to the minor unless his application is signed
17 by a person willing to assume the obligation imposed by KRS 186.590 upon a
18 person signing the application of a minor. A signature shall not be required in the
19 case of the renewal of a minor's license but the signature on the original application
20 shall continue to make the parent, guardian, or other person liable under the
21 provisions of KRS 186.590 on all renewals of the minor's license until he reaches
22 the age of eighteen (18) unless the license, or any renewal thereof, is canceled as
23 provided in subsection (2) of this section.

24 (2) A parent or a guardian of a minor applicant may file with the cabinet a verified
25 written request that the license of the minor be canceled. Thereupon the license of
26 the minor shall be canceled and the person who signed the application shall be
27 relieved as to subsequent acts of the minor from the liability imposed by subsection

1 (1) of KRS 186.590.

2 (3) The cabinet upon receipt of satisfactory evidence of the death of the person who
3 signed the application of a minor for a license shall have the license canceled and no
4 new license shall be issued to the minor until a new application, signed and verified,
5 is made as required by this section.

6 Section 6. KRS 186.480 is amended to read as follows:

7 (1) The State Police shall examine every applicant for an operator's license as identified
8 in KRS 186.6401, except as otherwise provided in this section. The examination
9 shall be held in the county where the applicant resides unless:

10 (a) The applicant is granted written permission by the circuit clerk of the county
11 in which he resides to take the examination in another county, and the State
12 Police agree to arrange for the examination in the other county; or

13 (b) The applicant is tested using a bioptic telescopic device.

14 (2) The examination shall include a test of the applicant's eyesight to ensure compliance
15 with the visual acuity standards set forth in KRS 186.577. The examination shall
16 also include a test of the applicant's ability to read and understand highway signs
17 regulating, warning and directing traffic, the applicant's knowledge of traffic laws
18 and an actual demonstration of the applicant's ability to exercise ordinary and
19 reasonable control in the operation of a motor vehicle. An applicant for a
20 motorcycle operator's license shall be required to show his ability to operate a
21 motorcycle, in addition to other requirements of this section. The provisions of this
22 subsection shall not apply to an applicant who:

23 (a) At the time of application, holds a valid operator's license from another state,
24 provided that state affords a reciprocal exemption to a Kentucky resident; or

25 (b) Is a citizen of the Commonwealth who has been serving in the United States
26 military and has allowed his operator's license to expire.

27 (3) Any person whose intermediate license or operator's license is denied, suspended,

1 or revoked for cause shall apply for reinstatement at the termination of the period
 2 for which the license was denied, suspended, or revoked by submitting to the
 3 examination. The provisions of this subsection shall not apply to any person whose
 4 license was suspended for failure to meet the conditions described in KRS 186.411
 5 when, within one (1) year of suspension, the driving privileges of such individuals
 6 are reinstated.

7 Section 7. KRS 186.6401 is amended to read as follows:

8 The following persons shall be required to successfully complete the examinations
 9 required under KRS 186.480 prior to being issued a Kentucky operator's license:

- 10 (1) A person who has been issued a Kentucky instruction permit or intermediate
 11 license;
- 12 (2) A person who has applied for a Kentucky operator's license under KRS 186.412(4);
 13 and
- 14 (3) Other persons as identified in an administrative regulation promulgated by the
 15 Kentucky State Police under KRS Chapter 13A.

16 Section 8. KRS 186.990 is amended to read as follows:

- 17 (1) Any person who violates any of the provisions of KRS 186.020, 186.030, 186.040,
 18 186.045(4), 186.050, 186.056, 186.060, 186.110, 186.130, 186.140, 186.160,
 19 186.170, 186.180(1) to (4)(a), 186.210, 186.230, or KRS 186.655 to 186.680 shall
 20 be guilty of a violation.
- 21 (2) Any person who violates any of the provisions of KRS 138.465, 186.190, or
 22 186.200 shall be guilty of a Class A misdemeanor.
- 23 (3) A person who violates the provisions of KRS 186.450(4), (5), or (6) or subsection
 24 (3), (4), or (5) of Section 2 of this Act~~or (5)}~~ shall be guilty of a violation. A
 25 person who violates any of the other provisions of KRS 186.400 to 186.640 shall be
 26 guilty of a Class B misdemeanor.
- 27 (4) Any clerk or judge failing to comply with KRS 186.550(1) shall be guilty of a

1 violation.

2 (5) If it appears to the satisfaction of the trial court that any offender under KRS
3 186.400 to 186.640 has a driver's license but in good faith failed to have it on his or
4 her person or misplaced or lost it, the court may, in its discretion, dismiss the
5 charges against the defendant without fine, imprisonment, or cost.

6 (6) Any person who steals a motor vehicle registration plate or renewal decal shall be
7 guilty of a Class D felony. Displaying a canceled registration plate on a motor
8 vehicle shall be prima facie evidence of guilt under this section.

9 (7) Any person who violates the provisions of KRS 186.1911 shall be guilty of a Class
10 A misdemeanor.

11 (8) Any person who makes a false affidavit to secure a license plate under KRS
12 186.172 shall be guilty of a Class A misdemeanor.

13 (9) Any person who violates any provision of KRS 186.070 or 186.150 shall be guilty
14 of a Class A misdemeanor.

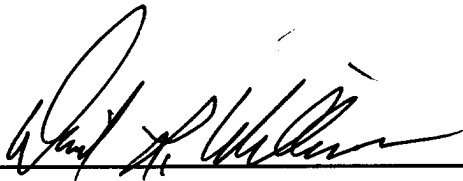
15 (10) Any person who operates a vehicle bearing a dealer's plate upon the highways of
16 this Commonwealth with intent to evade the motor vehicle usage tax or registration
17 fee shall be guilty of a Class A misdemeanor for the first offense and a Class D
18 felony for each subsequent offense.


19 (11) Any person, other than a licensed dealer or manufacturer, who procures a dealer's
20 plate with intent to evade the motor vehicle usage tax or registration fee shall be
21 guilty of a Class D felony.

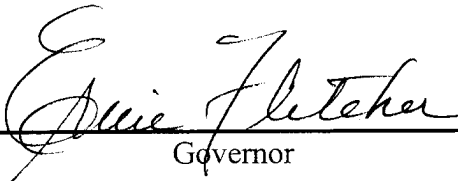
22 (12) Any resident who unlawfully registers, titles, or licenses a motor vehicle in any state
23 other than Kentucky with intent to evade the motor vehicle usage tax or the
24 registration fee shall be guilty of a Class A misdemeanor if the amount of tax due is
25 less than one hundred dollars (\$100), or of a Class D felony if the amount of tax due
26 is more than one hundred dollars (\$100), and in addition shall be liable for all taxes
27 so evaded with applicable interest and penalties.

1 Section 9. The amendments to Section 1 of this Act shall apply to any person who
2 obtains an original or renewal instruction permit issued pursuant to KRS 186.450 on or
3 after October 1, 2006.


Speaker-House of Representatives


President of the Senate

Attest: 
Chief Clerk of House of Representatives

Approved 
Governor

Date 